

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Charlottesville Division**

ELIZABETH SINES, et al.,

Plaintiffs,

v.

JASON KESSLER, et al.,

Defendants.

No. 3:17-cv-00072-NKM

JURY TRIAL DEMANDED

DECLARATION OF JOSHUA SMITH

I, Joshua Smith, on this 13th day of April, 2022, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am counsel to Defendants David Matthew Parrott, Matthew Heimbach, and Traditionalist Worker Party in this action.

2. I am a member in good standing of the Pennsylvania Bar, and I am also admitted to practice before the United States District Court for the Western District of Pennsylvania and the United States District Court for the Eastern District of Pennsylvania. I have been admitted to appear *pro hac vice* before this Court for and on behalf of these Defendants in this action.

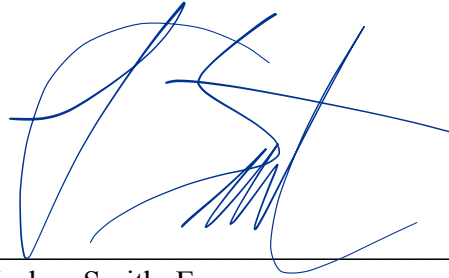
3. On September 3, 2021, I served counsel for Plaintiffs (Michael Bloch, Esq.) with an Offer of Judgment pursuant to Federal Rule of Civil Procedure 68.¹

4. On or around September 9, 2021, Mr. Bloch informed me via telephone that said Offer of Judgment was rejected by Plaintiffs.

¹ A true and correct copy of this Offer of Judgment is submitted as Exhibit 2 to Defendants' Response in Opposition to Plaintiffs' Motion for Attorneys Fees and Costs.

* * * *

I declare under penalty of perjury that the foregoing is true and correct.

A handwritten signature in blue ink, appearing to be 'J. Smith', is written over a horizontal line.

Joshua Smith, Esq.

Executed on: April 13, 2022
Pittsburgh, Pennsylvania